

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

SHERI K. BOEHMER,

Plaintiff,

vs.

JO ANNE B. BARNHART,  
Commissioner of Social Security  
Defendant.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Case No. 4:04CV577 HEA

**OPINION, MEMORANDUM AND ORDER**

This matter is before the Court for judicial review of the final decision of defendant Commissioner of Social Security denying the application of plaintiff for disability benefits under Title II of the Social Security Act, 42 U.S.C. §§ 401, *et seq.*, and for supplemental security income (SSI) benefits under Title XVI fo the act, 42 U.S.C. §§ 1381, *et seq.* The Court referred this matter to United States Magistrate Judge David D. Noce for a Report and Recommendation on all pretrial matters pursuant to 28 U.S.C. § 636(b). On September 7, 2005, Judge Noce filed his Report and Recommendation that the decision of the Commissioner be affirmed under sentence 4 of 42 U.S.C. § 405(g). No objections to the recommendation have been filed by either party.

After careful consideration, the Court will adopt and sustain the thorough reasoning of Judge Noce as set forth in his Report and Recommendation of September 7 2005.

Accordingly,

**IT IS HEREBY ORDERED** that the decision of the Commissioner of Social Security is affirmed under sentence 4 of 42 U.S.C. § 405(g).

Dated this 27th day of September, 2005.

A handwritten signature in cursive script, reading "Henry Edward Autrey", written in black ink.

---

HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE